



Department of Health Professions

DIRECTOR'S POLICY # 76-1.10

Travel Reimbursement by External Organizations

Effective Date: April 23, 2010

Approved By:

Sandra Whitley Ryals, Director

Purpose:

To ensure that travel undertaken by DHP employees and board members whose travel expenses may be reimbursed by an organization other than DHP is conducted in strict conformity with the State Travel Regulations, to ensure compliance with the Public Procurement Act (VPPA), particularly with respect to Article 6 of the VPPA, entitled, "Ethics in Public Contracting," and to avoid even the appearance of impropriety or conflict of interest.

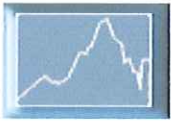
Policy:

Travel involving DHP employees or board members shall be managed in accordance with the provisions of the State Travel Regulations issued by the Department of Accounts (DOA). The provisions for "Sponsored Programs" in the State Travel Regulations shall not apply when an employee or board member is authorized to make substantive decisions on the procurement of the contract or on a matter directly related to an existing or potential contract. This policy applies even when the costs incurred for such travel will be fully reimbursed solely from revenue derived from a contract, or by an organization related to the purpose for which the contract was entered into.

Employees of the Department of Health Professions and members of health regulatory boards shall not accept or solicit anything of value from any organization, person, or other entity with which the agency or any associated board has an actual or potential contractual relationship. This includes organizations that provide examinations, credential reviews, or any other service for which the employee or board member is authorized to (a.) select, approve or make an award of goods or services or (b.) act on any rule or policy that mandates the use of a good or service from that entity.

Reimbursement for lodging may be accepted from an organization for attendance at a business meeting or conference provided that all state travel limits regarding lodging are adhered to. Lodging costs above the approved rate may not be paid or reimbursed by an external organization.

This policy is based, in part, on the Ethics in Public Contracting provisions of the Public Procurement Act. The following sections are provided for reference:



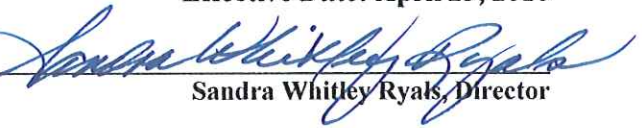
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§ 2.2-4368. Definitions.

"Public employee" means any person employed by a public body, including elected officials or appointed members of governing bodies.

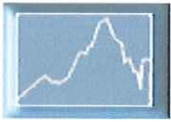
§ 2.2-4371. Prohibition on solicitation or acceptance of gifts; gifts by bidders, offerors, contractor or subcontractors prohibited.

No public employee having official responsibility for a procurement transaction shall solicit, demand, accept, or agree to accept from a bidder, offeror, contractor or subcontractor any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal or minimal value, present or promised, unless consideration of substantially equal or greater value is exchanged. The public body may recover the value of anything conveyed in violation of this subsection.

Procedure:

When employees or board members are eligible for reimbursement from entities other than DHP, requests for payment shall be made as follows:

- Requests for travel authorization and reimbursement of travel expenses to be incurred by a DHP employee or board member must be made sufficiently in advance of the trip to receive approval before funds are committed and to allow the traveler to take advantage of reduced or discounted fares.
- Expenses incurred during travel that are not authorized in advance by the Director of the Department or his designee shall not be reimbursed.
- Travel reimbursements may not be made directly to an employee or board member by an external organization.
- With the exception of airfare, which may be charged in advance to a state issued travel or small purchase charge card, all travel expenses incurred by employees and board members, including expenses to be reimbursed by an external organization, shall be paid by the traveler and processed through a state travel voucher. Applicable reimbursements from external organizations will be submitted to the organization by Accounting for deposit into agency accounts.



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- Exceptions to this requirement must be approved by the Director or his designee in advance of the trip.

Because State Travel Regulations do not have a guideline rate for airfare, except to require employees to fly coach class, and because travelers may not be reimbursed directly by an external organization, the reimbursing organization may make flight reservations and directly pay for the airfare of a DHP employee or board member for authorized travel. However paid, airfare must be in conformity with the State Travel Regulations. Lodging expenses above the published rate in the State Travel Regulations shall not be reimbursed unless approved in advance. Requests for reimbursement of lodging rates that exceed the State Travel Regulations must be accompanied by documentation showing alternative cost comparisons that justify the excess. Upon receiving acceptable justification, the Director of the Department or his designee may approve lodging rates up to 150% of DOA published rates. Approval of rates that exceed 150% of the amounts set forth in the State Travel Regulations must be obtained by the Director from the Department of Accounts.

Travel may be authorized conditioned upon the employee or board member (a) obtaining lodging within the approved rate or (b) agreeing to personally pay the cost difference between the approved rate and the actual rate of the lodging requested.